

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

BARBARA WOODVINE,)
)
Plaintiff,)
)
v.) No. 2:16CV27 CDP
)
)
CULVER-STOCKTON COLLEGE,)
)
Defendant.)

MEMORANDUM AND ORDER

This newly-filed case is before me for review of subject matter jurisdiction.

Plaintiff Barbara Woodvine brings this action alleging that she was injured because of a dangerous condition that defendant Culver-Stockton College negligently allowed to exist on its premises. Woodvine invokes this Court's diversity jurisdiction under 28 U.S.C. § 1332.

I have reviewed Woodvine's complaint and find there to be no adequate statement of citizenship with respect to either of the parties in this case. Woodvine claims she resides in Illinois. For purposes of diversity, however, a statement of an individual's residence is insufficient to establish that person's citizenship. *Sanders v. Clemco Indus.*, 823 F.2d 214, 216 (8th Cir. 1987). With respect to defendant Culver-Stockton, I cannot tell from the pleading whether the entity is a corporation or an unincorporated association. With respect to corporations, a proper statement of citizenship includes the corporation's place of incorporation or its principal place of

business. *Id.*; see also *Americold Realty Trust v. Conagra Foods, Inc.*, 136 S. Ct. 1012, 1015 (2016). For unincorporated associations, diversity of citizenship depends on the citizenship of all its members. *Americold Realty Trust*, 136 S. Ct. at 1015. Here, Woodvine alleges only the “location” of Culver-Stockton. Whether a corporation or an unincorporated association, this statement is insufficient to show Culver-Stockton’s citizenship. I am therefore unable to determine if this Court has subject-matter jurisdiction over this action.

Accordingly, I will give plaintiff until May 18, 2016, to amend her complaint to properly allege this Court’s subject-matter jurisdiction. Failure to timely comply with this Order may result in this action being dismissed without prejudice for lack of subject-matter jurisdiction.

Therefore,

IS IT HEREBY ORDERED that plaintiff Barbara Woodvine shall file an amended complaint not later than **May 18, 2016**, to properly allege this Court’s subject-matter jurisdiction. Failure to timely comply with this Order may result in this action being dismissed without prejudice for lack of subject-matter jurisdiction.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 10th day of May, 2016.